

CHAPTER 35
OPERATION OF ALL-TERRAIN VEHICLES
S.F. 9

AN ACT relating to the operation of all-terrain vehicles subject to penalties provided by law.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 321.1, subsection 16, Code 1985, is amended by adding the following new lettered paragraph:

NEW LETTERED PARAGRAPH. d. All-terrain vehicles.

Sec. 2. Section 321.1, Code 1985, is amended by adding the following new subsection:

NEW SUBSECTION. "All-terrain vehicle" means a motor vehicle designed to travel on three or more wheels and designed primarily for off-road use but not including farm tractors, construction equipment, forestry vehicles or lawn and grounds maintenance vehicles.

Sec. 3. NEW SECTION. 321.234A ALL-TERRAIN VEHICLES.

All-terrain vehicles shall be operated on a highway only between sunrise and sunset and only when the operation on the highway is incidental to the vehicle's use for agricultural purposes. A person operating an all-terrain vehicle on a highway shall have a valid operator's license and the vehicle shall be operated at speeds of less than thirty miles per hour. When operated on a highway, an all-terrain vehicle shall have a bicycle safety flag which extends not less than five feet above the ground attached to the rear of the vehicle. The bicycle safety flag shall be triangular in shape with an area of not less than thirty square inches, be day-glow in color, and shall be in lieu of the reflective equipment required by section 321.383.

Approved April 23, 1985

CHAPTER 36
OFFICE OF APPELLATE DEFENDER
S.F. 200

AN ACT relating to the office of the appellate defender.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 13B.4, Code 1985, is amended to read as follows:

13B.4 DUTIES OF APPELLATE DEFENDER.

The appellate defender shall represent indigents on appeal in criminal cases and on appeal in proceedings to obtain postconviction relief when appointed to do so by the district court in

which the judgment or order was issued, and may represent indigents in proceedings instituted pursuant to chapter 908, and shall not engage in the private practice of law. The court may, upon the application of the indigent or the indigent's trial attorney, or on its own motion, appoint the appellate defender to represent the indigent on appeal or on appeal in postconviction proceedings.

Sec. 2. 1981 Iowa Acts, chapter 23, section 8, is repealed.

Sec. 3. Section 2 of this Act, being deemed of immediate importance, takes effect from and after its publication in *The New Iowa Bystander*, a newspaper published in Des Moines, Iowa, and in *The Sioux City Journal*, a newspaper published in Sioux City, Iowa.

Sec. 4. It is the intent of the general assembly of the state of Iowa that the provisions of sections 2 and 3 of this Act take effect prior to the date which 1981 Acts, chapter 23, section 8, would take effect and that from the effective date of this Act, 1981 Acts, chapter 23, section 8, be given no force of law.

Approved April 23, 1985

I hereby certify that the foregoing Act was published in *The Sioux City Journal*, Sioux City, Iowa on April 29, 1985 and in *The New Iowa Bystander*, Des Moines, Iowa on May 3, 1985.

MARY JANE ODELL, *Secretary of State*

CHAPTER 37

OPERATION OF FIRE VEHICLES

S.F. 307

AN ACT relating to the operation of fire vehicles.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 321.1, subsection 26, Code 1985, is amended to read as follows:

26. "Authorized emergency vehicle" means vehicles of the fire department, police vehicles, ambulances and emergency vehicles owned by the United States, this state or any subdivision of this state or any municipality ~~therein~~ of this state, and ~~such~~ privately owned ambulances, and fire, rescue or disaster vehicles as are designated or authorized by the director of transportation under section 321.451.

Sec. 2. Section 321.423, subsection 1, paragraph a, Code 1985, is amended by striking the paragraph and inserting in lieu thereof the following:

a. "Fire department" means a paid or volunteer fire protection service provided by a benefited fire district under chapter 357B or by a county, municipality or township, or a private corporate organization that has a valid contract to provide fire protection service for a benefited fire district, county, municipality, township or governmental agency.